

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:

Case No. 20-21993-CMB

Mariann Kaczmarek,

Chapter 13

Debtor.

STIPULATED ORDER MODIFYING PLAN

WHEREAS, this matter is being presented to the Court regarding

[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]:

- a motion to dismiss case or certificate of default requesting dismissal
- a plan modification sought by: The Debtor to implement Notice of Mortgage Payment Change
- a motion to lift stay as to creditor _____
- other: _____

WHEREAS, the parties having agreed to settle the matter above conditioned on the terms herein, based on the records of the Court, and the Court being otherwise sufficiently advised in the premises; and there being no adverse impact upon other parties by way of this action, thus no notice is required to be given; now therefore

IT IS HEREBY ORDERED that the

[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]:

- Chapter 13 Plan dated _____
- Amended Chapter 13 Plan dated October 8, 2021

is modified as follows:

[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]:

- Debtor's plan payments shall be changed from \$ 1,334.00 to \$ 1,334.00 per month, effective 02/2023; and/or the plan term shall be changed from months to months.

- In the event that Debtor(s) fail(s) to make any future Chapter 13 Plan payments, the Trustee or a party in interest may file with the Court and serve upon Debtor(s) and Debtor(s)' Counsel a notice of default advising the Debtor(s) that they have 30 days from the service of the notice in which to cure any and all defaults in payments. If Debtor(s) fail(s) to cure the defaults in payments after having been provided notice under the provision of this Stipulated Order, then the Trustee or a party in interest may submit an Order of Dismissal to the Bankruptcy Court along with an affidavit attesting to a failure to make Plan payments, and the proceedings or case may thereafter be dismissed without prejudice and without further hearing or notice.
- Debtor(s) shall file and serve _____ on or before _____.
- If any of the foregoing is not completed by the date specified, the case may be dismissed without prejudice without further notice or hearing upon the filing by the Trustee of an Affidavit of Non-Compliance.
- If any of the foregoing is not completed by the date specified, the automatic stay as to the property described as _____ may be lifted without further notice or hearing upon the filing by the Creditor herein of an Affidavit of Non-Compliance.
- Other: PNC Bank, N.A. (Claim No. 4) to govern, following all Notices of Mortgage Payment Changes filed to date, including the one filed on January 18, 2022. In accordance with the most recent payment change, the Creditor will begin receiving monthly payments totaling \$250.00 effective February 10, 2023. The Debtor will file an Omnibus Declaration of Plan Sufficiency for Mortgage Payment Changes regarding Claim No. 4 since this mortgage loan is subject to monthly payment fluctuations and the \$250.00 payment is at least, but not more than \$50.00 above, the average range of payment fluctuations over the preceding twelve month period.

IT IS FURTHER ORDERED that to the extent any creditor opposes the relief contained herein, such creditor must file an objection to the same within fourteen (14) days hereof. Should such an objection be timely filed, the Court shall conduct a *de novo* hearing regarding the appropriateness of this Stipulated Order. Should no objection be timely filed, this Stipulated Order shall be deemed final without further notice and/or opportunity for a hearing.

IT IS FURTHER ORDERED that in all other respects, the Plan and Order Confirming Plan shall remain in full force and effect.

[Remainder of Page Intentionally Left Blank]

SO ORDERED, this 16th day of February, 2023

Dated: February 16, 2023



United States Bankruptcy Judge

Stipulated by:

/s/ Matthew M. Herron
Counsel to Debtor

Stipulated by:

/s/ James Warmbrodt
Counsel to Chapter 13 Trustee

cc: All Parties in Interest to be served by Clerk

FILED
2/16/23 8:40 am
CLERK
U.S. BANKRUPTCY
COURT - WDPA

In re:
Mariann Kaczmarek
Debtor

Case No. 20-21993-CMB
Chapter 13

District/off: 0315-2
Date Rcvd: Feb 16, 2023

User: auto
Form ID: pdf900

Page 1 of 3
Total Noticed: 21

The following symbols are used throughout this certificate:

| Symbol | Definition |
|--------|--|
| + | Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP. |
| ++ | Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. § 342(f)/Fed. R. Bank. P. 2002(g)(4). |

CERTIFICATE OF NOTICE

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 18, 2023:

| Recip ID | Recipient Name and Address |
|----------|--|
| db | + Mariann Kaczmarek, 3701 Colby Street, Pittsburgh, PA 15214-2111 |
| aty | + The Debt Doctors, LLC, 607 College Street, Suite 101, Pittsburgh, PA 15232, UNITED STATES 15232-1700 |
| sp | + George M. Kontos, Mengine, Killion & Hassen, 603 Stanwix Street, Suite 1228, Pittsburgh, PA 15222-1424 |
| sp | + Lisa M. Petruzzii, Feldstein, Grinberg, Lang & McKee, P.C., 428 Boulevard of the Allies, Suite 600, Pittsburgh, PA 15219-1314 |
| 15261232 | + Allegheny Community FCU, 1001 Liberty Avenue, Suite 100, Pittsburgh, PA 15222-3715 |
| 15261237 | ++ NISSAN MOTOR ACCEPTANCE CORPORATION, LOSS RECOVERY, PO BOX 660366, DALLAS TX 75266-0366 address filed with court;, Nissan Motor Acceptance, 8900 Freeport Parkway, Irving, TX 75063 |
| 15270633 | + NewRez c/o, PHH Mortgage Services, PO Box 5452, Mount Laurel, NJ 08054-5452 |
| 15261238 | PHH Mortgage Services, 2001 Leadenhall Road, Mount Laurel, NJ 08054 |

TOTAL: 8

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

| Recip ID | Notice Type: Email Address | Date/Time | Recipient Name and Address |
|----------|---|----------------------|---|
| cr | + Email/Text: RASEBN@raslg.com | Feb 16 2023 23:54:00 | NewRez LLC, RAS Citron LLC, 130 Clinton Road, Suite 202, Fairfield, NJ 07004-2927 |
| 15261233 | + Email/Text: bk@avant.com | Feb 16 2023 23:54:00 | Avant, 222 N. LaSalle Street, Suite 1700, Chicago, IL 60601-1101 |
| 15277947 | Email/PDF: Citi.BNC.Correspondence@citi.com | Feb 17 2023 00:04:21 | Citibank, N.A., 5800 S Corporate Pl, Sioux Falls, SD 57108-5027 |
| 15261234 | + Email/PDF: Citi.BNC.Correspondence@citi.com | Feb 17 2023 00:04:25 | Citicards/Citibank, PO Box 6241, Sioux Falls, SD 57117-6241 |
| 15261235 | + Email/Text: bankruptcy_notifications@ccsusa.com | Feb 16 2023 23:54:00 | Credit Collection Service, 725 Canton Street, Norwood, MA 02062-2679 |
| 15261236 | Email/Text: mrdiscen@discover.com | Feb 16 2023 23:54:00 | Discover Financial Services, P.O. Box 15316, Wilmington, DE 19850 |
| 15265591 | Email/Text: mrdiscen@discover.com | Feb 16 2023 23:54:00 | Discover Bank, Discover Products Inc, PO Box 3025, New Albany Ohio 43054-3025 |
| 15285631 | + Email/Text: kburkley@bernsteinlaw.com | Feb 16 2023 23:54:00 | Duquesne Light Company, c/o Bernstein-Burkley, P.C., 707 Grant St., Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945 |
| 15277783 | Email/Text: JCAP_BNC_Notices@jcap.com | Feb 16 2023 23:54:00 | Jefferson Capital Systems LLC, Po Box 7999, Saint Cloud Mn 56302-9617 |
| 15268663 | Email/Text: BKEBN-Notifications@ocwen.com | Feb 16 2023 23:54:00 | PHH MORTGAGE CORPORATION, BANKRUPTCY DEPARTMENT., P.O. BOX 24605, WEST PALM BEACH FL 33416-4605 |
| 15277935 | Email/Text: Bankruptcy.Notices@pnc.com | Feb 16 2023 23:54:00 | PNC Bank, N.A., P.O. Box 94982, Cleveland, OH 44101 |
| 15261239 | Email/Text: Bankruptcy.Notices@pnc.com | Feb 16 2023 23:54:00 | PNC Mortgage, P.O. Box 8703, Dayton, OH 45401 |

District/off: 0315-2

User: auto

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15295376

+ Email/Text: mtgbk@shellpointmtg.com

Feb 16 2023 23:54:00

Shellpoint Mortgage Servicing, P.O. Box 10826,
Greenville, SC 29603-0826

TOTAL: 13

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

| Recip ID | Bypass Reason | Name and Address |
|----------|---------------|--|
| cr | | Newrez LLC D/B/A Shellpoint Mortgage Servicing |
| cr | | PHH MORTGAGE CORPORATION |
| cr | *+ | Duquesne Light Company, c/o Bernstein-Burkley, P.C., 707 Grant Street, Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945 |
| cr | *P++ | PNC BANK RETAIL LENDING, P O BOX 94982, CLEVELAND OH 44101-4982, address filed with court:, PNC Bank, N.A., P.O. Box 94982, Cleveland, OH 44101-5570 |
| 15270628 | *+ | Allegheny Community FCU, 1001 Liberty Avenue, Suite 100, Pittsburgh, PA 15222-3715 |
| 15270629 | *+ | Avant, 222 N. LaSalle Street, Suite 1700, Chicago, IL 60601-1101 |
| 15270630 | *+ | Citcards/Citibank, PO Box 6241, Sioux Falls, SD 57117-6241 |
| 15270631 | *+ | Credit Collection Service, 725 Canton Street, Norwood, MA 02062-2679 |
| 15270632 | *P++ | DISCOVER FINANCIAL SERVICES LLC, PO BOX 3025, NEW ALBANY OH 43054-3025, address filed with court:, Discover Financial Services, P.O. Box 15316, Wilmington, DE 19850 |
| 15270634 | *P++ | NISSAN MOTOR ACCEPTANCE CORPORATION, LOSS RECOVERY, PO BOX 660366, DALLAS TX 75266-0366, address filed with court:, Nissan Motor Acceptance, 8900 Freeport Parkway, Irving, TX 75063 |
| 15270635 | *+ | PHH Mortgage Corporation, Bankruptcy Dept. PO Box 24605, West Palm Beach, FL 33416-4605 |
| 15270636 | * | PHH Mortgage Services, 2001 Leadenhall Road, Mount Laurel, NJ 08054 |
| 15270637 | *P++ | PNC BANK RETAIL LENDING, P O BOX 94982, CLEVELAND OH 44101-4982, address filed with court:, PNC Mortgage, P.O. Box 8703, Dayton, OH 45401 |

TOTAL: 2 Undeliverable, 11 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 18, 2023

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 16, 2023 at the address(es) listed below:

| Name | Email Address |
|-------------------------|--|
| Brian Nicholas | on behalf of Creditor PNC Bank N.A. bnicholas@kmllawgroup.com |
| Charles Griffin Wohlrab | on behalf of Creditor Newrez LLC D/B/A Shellpoint Mortgage Servicing cwohlrb@raslg.com |
| Charles Griffin Wohlrab | on behalf of Creditor NewRez LLC cwohlrb@raslg.com |
| Keri P. Ebeck | on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com jbluemle@bernsteinlaw.com |
| Mario J. Hanyon | on behalf of Creditor PHH MORTGAGE CORPORATION wbefcf@brockandscott.com mario.hanyon@brockandscott.com |
| Matthew M. Herron | |

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on behalf of Debtor Mariann Kaczmarek mmh@thedebtdoctors.com hgs@thedebtdoctors.com;alb@thedebtdoctors.com

Matthew M. Herron

on behalf of Attorney The Debt Doctors LLC mmh@thedebtdoctors.com, hgs@thedebtdoctors.com;alb@thedebtdoctors.com

Office of the United States Trustee

ustpregion03.pi.ecf@usdoj.gov

Ronda J. Winnecour

cmeccf@chapter13trusteewdpa.com

TOTAL: 9